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PART IV
GOVERNMENT OF MEGHALAYA
LAW (B) DEPARTMENT
ORDERS BY THE GOVERNOR

NOTIFICATION

The 7th April, 2010.

No.LL(B)8/2010/65.—The Meghalaya Maintenance of Public Order (Autonomous Districts) (Amendment) Act, 2010 (Act No. 3 of 2010) is hereby published for general information.

MEGHALAYA ACT NO. 3 OF 2010

(As passed by the Meghalaya Legislative Assembly)

Received the assent of the Governor on 6th April, 2010.

Published in the Gazette of Meghalaya Extra Ordinary issue dated 7th April, 2010.

THE MEGHALAYA MAINTENANCE OF PUBLIC ORDER (AUTONOMOUS DISTRICTS)
(AMENDMENT) ACT, 2010.

AN

ACT

to amend the Meghalaya Maintenance of Public Order (Autonomous District) Act (Assam Act XVI of 1953 as adapted by Meghalaya).

Whereas, the Hon'ble Gauhati High Court vide its order dt. 6-1-2010 in matter of PIL No. 50/2005 filed by Mrinal Talukdar Vrs State of Assam & Ors directed the State of Meghalaya to strictly implement the law declared by the Hon'ble Apex Court as reported in 1998 (1) SCC 201 in matter of Communist Party of India (M) Vrs Bharat Kumar & Ors;

Whereas, further the above judgment of the Hon'ble Apex Court declared that any act for ensuring abstention from normal duties by members of public employee, disrupt normal life or does any act being subversive of law and order or destroy public or private property shall be illegal;

Whereas, also the Government of Meghalaya in pursuance of and in compliance with the above order of the Hon'ble Gauhati High Court and the Hon'ble Apex Court decided to implement by amending the Meghalaya Maintenance of Public Order Act (Assam Act V of 1947 as adapted by Meghalaya) and also the Meghalaya Maintenance of Public Order (Autonomous District) Act (Assam Act XVI of 1953 as adapted by Meghalaya);

Be it enacted by the Legislature of the State of Meghalaya in the Sixty-first Year of the Republic of India as follows, -

Short title and commencement. 1. (1) This Act may be called the Meghalaya Maintenance of Public Order (Autonomous District) (Amendment) Act, 2010.

(2) It shall be deemed to come into force from 24th February, 2010.

Insertion of new section 8A to Act XVI of 1953.

2. In the Meghalaya Maintenance of Public Order (Autonomous Districts) (Assam Act XVI of 1953 as adapted by Meghalaya), after the existing section 8, the following new section 8A, shall be inserted, namely, -

“Breach of public order, penalty

“8A Whosoever whether an individual or any organization or any association of persons or group of persons either singly or collectively does/do anything by whatever means any act for causing abstention from normal activities by members of public, employees, disrupts normal life or does any act being subversive of law and order or destroy public or private properties shall be guilty of offence under this Act and shall be punishable with imprisonment for three years and upwards but not more than seven years and also shall be liable to compensate the Government, the public and private citizen for the loss suffered by them”.

L. M. SANGMA,

Secretary to the Government of Meghalaya,
Law (B) Department.



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PART IV

GOVERNMENT OF MEGHALAYA

LAW (B) DEPARTMENT

ORDERS BY THE GOVERNOR

NOTIFICATION

The 7th April, 2010.

No.LL(B)8/2010/68.—The Meghalaya Maintenance of Public Order (Amendment) Act, 2010 (Act No. 4 of 2010) is hereby published for general information.

MEGHALAYA ACT NO. 4 OF 2010

(As passed by the Meghalaya Legislative Assembly)

Received the assent of the Governor on 6th April, 2010.

Published in the Gazette of Meghalaya Extra Ordinary issue dated 7th April, 2010.

THE MEGHALAYA MAINTENANCE OF PUBLIC ORDER (AMENDMENT) ACT, 2010.

AN

ACT

to amend the Meghalaya Maintenance of Public Order Act (Assam Act V of 1947 as adapted by Meghalaya).

Whereas, the Hon'ble Gauhati High Court vide its order dt. 6-1-2010 in matter of PIL No. 50/2005 filed by Mrinal Talukdar Vrs State of Assam & Ors directed the State of Meghalaya to strictly implement the law declared by the Hon'ble Apex Court as reported in 1998 (1) SCC 201 in matter of Communist Party of India (M) Vrs Bharat Kumar & Ors;

Whereas, further the above judgment of the Hon'ble Apex Court declared that any act for ensuring abstention from normal duties by members of public employee, disrupt normal life or does any act being subversive of law and order or destroy public or private property shall be illegal;

Whereas, also the Government of Meghalaya in pursuance of and in compliance with the above order of the Hon'ble Gauhati High Court and the Hon'ble Apex Court decided to implement by amending the Meghalaya Maintenance of Public Order Act (Assam Act V of 1947 as adapted by Meghalaya) and also the Meghalaya Maintenance of Public Order (Autonomous District) Act (Assam Act XVI of 1953 as adapted by Meghalaya);

Be it enacted by the Legislature of the State of Meghalaya in the Sixty-first Year of the Republic of India as follows, -

Short title and commencement. 1. (1) This Act may be called the Meghalaya Maintenance of Public Order (Amendment) Act, 2010.

(2) It shall be deemed to come into force from 24th February, 2010.

Insertion of new section 6A to Act V of 1947.

2. In the Meghalaya Maintenance of Public Order (Assam Act V of 1947 as adapted by Meghalaya), after the existing section 6 the following new section 6A, shall be inserted, namely, -

“Breach of public order, penalty

“6A Whosoever whether an individual or any organization or any association of persons or group of persons either singly or collectively does/do anything by whatever means any act for causing abstention from normal activities by members of public, employees, disrupts normal life or does any act being subversive of law and order or destroy public or private properties shall be guilty of offence under this Act and shall be punishable with imprisonment for three years and upwards but not more than seven years and also shall be liable to compensate the Government, the public and private citizen for the loss suffered by them”.

L. M. SANGMA,

Secretary to the Government of Meghalaya,
Law (B) Department.



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GOVERNMENT OF MEGHALAYA

LAW (B) DEPARTMENT

ORDERS BY THE GOVERNOR

NOTIFICATION

The 7th April, 2010.

No.LL(B)148/85/346.—The Meghalaya Legislators' Salaries and Allowances (Amendment) Act, 2010 (Act No. 5 of 2010) is hereby published for general information.

MEGHALAYA ACT NO. 5 OF 2010

(As passed by the Meghalaya Legislative Assembly)

Received the assent of the Governor on 6th April, 2010.

Published in the Gazette of Meghalaya Extra Ordinary issue dated 7th April, 2010.

THE MEGHALAYA LEGISLATORS' SALARIES AND ALLOWANCES (AMENDMENT)

ACT, 2010.

AN

ACT

further to amend the laws relating to the salaries and allowances of Ministers, Speaker, Parliamentary Secretaries, Leader of Opposition and Members of the Meghalaya Legislative Assembly.

Be it enacted by the Legislature of the State of Meghalaya in the Sixty-first Year of the Republic of India as follows, -

Short title and commencement.

1. (1) This Act may be called the Meghalaya Legislator's Salaries and Allowances (Amendment) Act, 2010.

(2) It shall be deemed to have come into force on and from 1st April, 2008.

Amendment of Act 2 of 1972.

2. In the Legislative Assembly of Meghalaya (Speaker and Deputy Speaker Salaries and Allowances) Act, 1972 -

(i) in section 2, for the words "rupees fourteen thousand six hundred" and "rupees thirteen thousand seven hundred and fifty", the words "rupees forty nine thousand six hundred" and "rupees forty eight thousand seven hundred and fifty" shall respectively be substituted; and

(ii) for the existing section 2A, the following shall be substituted, namely;

Substitution of section 2A.

"Constituency allowance

2A. The Speaker and the Deputy Speaker shall be entitled to a Constituency Allowance as the State Government may, from time to time, determine by issuing of an office memorandum"

Amendment of Act 4 of 1972.

3. In the Meghalaya (Ministers' Salaries and Allowances) Act, 1972 -

(A) In section 2 -

(i) in clause (a), for the words "rupees fifteen thousand", the words "rupees fifty thousand" shall be substituted;

(ii) in clause (b), for the words "rupees fourteen thousand six hundred", the words "rupees forty nine thousand six hundred" shall be substituted;

(iii) in clause (c), for the words "rupees fourteen thousand two hundred and fifty", the words "rupees forty nine thousand two hundred and fifty", shall be substituted;

(iv) in clause (d), for the words "rupees thirteen thousand seven hundred and fifty" the words "rupees forty eight thousand seven hundred and fifty" shall be substituted; and

- (v) in clause (e), for the words "rupees thirteen thousand five hundred", the words "rupees forty eight thousand five hundred" shall be substituted.

(B) For the existing sub-section 2A, the following, shall be substituted, namely, -

Substitution of section 2A.

"Constituency allowance

2A. The Chief Minister, the Deputy Chief Minister, the Minister, the Minister of State and the Deputy Minister shall be entitled to a Constituency Allowance as the State Government may, from time to time, determine by issuing of an office memorandum"

Amendment of Act 8 of 1972.

4. In the Legislative Assembly of Meghalaya (Members' Salaries and Allowances) Act, 1972 -

- (a) in section 3, for the words "rupees three thousand", the words "rupees five thousand" shall be substituted;

(b) in section 4, -

- (i) in clause (a), for the words "rupees three thousand", the words "rupees fifteen thousand" shall be substituted;

- (ii) in clause (b), for the words "rupees fifty", the words "rupees two hundred" shall be substituted;

- (iii) in clause (d), for the words "rupees two hundred", the words "rupees two thousand" shall be substituted;

- (iv) in clause (e) for the words "rupees three hundred" the words "rupees three thousand" shall be substituted;

- (v) for the existing clause (ee), the following shall be substituted, namely, -

"Constituency allowance

(ee). The Member of the Meghalaya Legislative Assembly shall be entitled to a Constituency Allowance as the State Government may, from time to time, determine by issuing of an office memorandum"

- (vi) in clause (f), for the words "rupees three thousand five hundred", the words "rupees ten thousand" shall be substituted;

- (c) in section 5A, for the words "rupees three thousand", the words "rupees six thousand" shall be substituted;

- (d) in section 6A, in sub-section (2), for the words "rupees two thousand", the words "rupees seven thousand" shall be substituted;

Amendment of Act 6 of 1983.

5. In the Meghalaya Legislative Assembly (Leader of the Opposition) (Salary and Allowances) Act, 1983 –

(a) in section 3, for the words “rupees fourteen thousand two hundred and fifty”, the words “rupees forty nine thousand two hundred and fifty” shall be substituted;

(b) for the existing sub-section 3A, the following shall be substituted, namely, –

Substitution of section 3A.

“Constituency allowance

3A. The Leader of Opposition shall be entitled to a Constituency Allowance as the State Government may, from time to time determine by issuing of an office memorandum”

Amendment of Act 9 of 2005.

6. In the Meghalaya Parliamentary Secretary (Appointment, Salaries, Allowances and Miscellaneous Provisions) Act, 2005, after section 6, the following new section 6A shall be added namely, –

Insertion of new section 6A

“Constituency allowance”

“6A. The Parliamentary Secretary shall each be entitled to a Constituency Allowance as the State Government may, from time to time determine by issuing of an office memorandum”

Repeal and Savings.

7. (1) The Meghalaya Legislators’ Salaries and Allowances Amendment Ordinance 2009 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the corresponding provisions of the Ordinance so repealed, shall be deemed to have done or taken under the provisions of this Act.

L. M. SANGMA,
Secretary to the Government of Meghalaya,
Law (B) Department.